IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TEXARKANA DIVISION

ROBERT TROY MCCLURE, #1420457 §

VS.

§ CIVIL ACTION NO. 5:11cv131

TYLER G. BOLES §

ORDER OF DISMISSAL

Plaintiff Robert Troy McClure, an inmate confined at the Telford Unit of the Texas prison system, proceeding *pro se*, filed the above-styled and numbered civil rights lawsuit pursuant to 42 U.S.C. § 1983. The complaint was referred to United States Magistrate Judge Caroline M. Craven, who issued a Report and Recommendation concluding that the Defendant's motion for summary judgment for failure to exhaust administrative remedies should be granted. The Plaintiff has filed objections.

The Report of the Magistrate Judge, which contains her proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the Plaintiff to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and the objections of the Plaintiff are without merit. Therefore the findings and conclusions of the Magistrate Judge are adopted as the findings and conclusions of the Court. It is accordingly

ORDERED that the Defendant's motion for summary judgment for failure to exhaust administrative remedies (docket entry #17) is **GRANTED** and the complaint is **DISMISSED** without prejudice. It is further

ORDERED that all motions by either party not previously ruled on are hereby **DENIED**.

SIGNED this 21st day of November, 2011.

DAVID FOLSOM

UNITED STATES DISTRICT JUDGE